TETRA TECH

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Project Number 112G01474

Ms. Kymberlee Keckler, Remedial Project Manager
U.S. EPA Region I
1 Congress Street, Suite 1100
Boston, Massachusetts 02114-2023

Reference: CLEAN Contract No. N62472-03-D-0057
Contract Task Order No. 130

Subject: Response to Comments, EPA Letter Dated September 30, 2009
Former Robert E. Derecktor Shipyard,
Naval Station Newport, Newport RI

Dear Ms Keckler:

On behalf of Ms. Winoma Johnson, US Navy NAVFAC, I am providing to you a response to your comment letter dated September 30, 2009, which was in reference to the Draft Final FS Revision 1 for the Former Derecktor Shipyard, and the Navy's response to comments dated September 8, 2009. This response is provided as Attachment A.

If you have any questions, please do not hesitate to contact me at 978-474-8434.

Very truly yours,

Stephen S. Parker, LSP
Project Manager

Enclosures

c: S. Bird, NAVFAC (w/encl.)
J. Forrelli, TtNUS (w/encl.)
G. Glenn, TtNUS (w/encl.)
W. Johnson, NAVFAC (w/encl.)
P. Kulpa, RIDEM (w/encl.)
C. Mueller, NAVSTA (w/encl.)
File 112G01474-3.1 (w/encl.)
AR, c/o Glenn Wagner, TtNUS Pittsburgh (w/encl.)

Tetra Tech NUS, Inc.
55 Jonspin Road, Wilmington, MA 01887-1020
Tel 978.474.8400 Fax 978.474.8499 www.ttnus.com

ATTACHMENT A
RESPONSES TO COMMENTS FROM USEPA
FORMER ROBERT E. DERECKTOR SHIPYARD
NAVSTA NEWPORT
COMMENTS DATED 9/30/09

General Comment 2 (GC2): Please specify how the boundary of the institutional control area will be defined and clarify whether the proposal for ICs with boundary would be for areas that contain asbestos but will not be dredged. Will sampling be done as part of remedial design to identify how far asbestos extends beyond the footprint of the pier?

a) As noted in Navy's response, a boundary for the institutional controls is required for the proposed approach. To confirm that a conservative boundary has been established, it is necessary to sample around the perimeter of the proposed boundary to confirm that the extent of asbestos contamination has been adequately identified and bounded.

Response: As provided in OSWER Directive #9200.0-68, Framework For Investigating Asbestos-Contaminated Superfund Sites, EPA recommends that "a source area that is judged to have asbestos contamination that is at the high end of the range observed on site" be selected for sampling. In the July 30, 2009 response, the Navy proposed that that the ROD for this site include an institutional control, using a boundary set within a limited distance from Pier 1, which is the likely release or source area. In accordance with the framework, the response used to address the release would be the institutional control.

To address the comment above, the Navy proposes sampling for asbestos in a subset of the samples collected within the footprint of Pier 1 during the PDI, and to revise the institutional control boundary based on those sample results, assuming that presence of asbestos >1 % by weight would set the final boundary. Adjustments to the boundary can be conducted as needed through an ESD after the ROD is finalized. If asbestos >1% by weight is not detected in the sediment beneath Pier 1, the Navy would request such an ESD to remove the institutional control.

For the purposes of the FS and the ROD the institutional control should be assumed to be set within the footprint of the pier platform, which extends approximately 10-20 feet beyond the outline of the pilings.

b) Please clarify the scope of the demolition project for Pier 1. Will Pier 1 be removed in its entirety? If so, there would be no reason to leave contaminated sediment in place beneath the former Pier 1 location as discussed in the last paragraph.

Response: It is not known at this time whether the pier will be removed in its entirety or if the pilings will be cut at the sediment surface. It should be assumed that the pier pilings will be in place during the time of the remedy.

General Comment 3: As a clarification, the TCLP testing should be done either in pre-design to determine which areas would need to be specially handled in accordance with RCRA standards during the dredging operation, or immediately after the material is dredged ("generation" of hazardous waste occurs as soon as sediment exceeding TCLP thresholds is physically disturbed by the dredging) in order for the Navy to meet waste handling requirements. The status of the contaminated sediment should be determined before large quantities of sediment are intermixed and diluted.

Response: The previous statement made by EPA that the TCLP testing is required prior to disposal was agreed to. Should dredging be selected as the preferred alternative, the remedial action work plan will outline the procedures for sampling the sediment after dredging, and prior to disposal. It is currently not anticipated that this testing will be done during the

pre-design step. This is a detail that should be addressed in the remedial action work plan.

Specific Comment 4b: The sediment needs to be sampled once dredged (or during predesign) to ensure there is no risk to workers from handling potentially asbestos-contaminated material. The testing can not wait until the material is sent off-site for disposal. The requirements apply to handling as well as disposal.

The response states that sediment excavated during the removal action would be sampled for asbestos before disposal but data would be compared to disposal parameters specific to the receiving facility instead of a risk-based concentration. Please clarify whether these disposal parameters meet NESHAPs. Further detail about what standards will be compared with the disposal data should be provided.

Response: The disposal parameters would be selected to meet appropriate regulations for disposal of contaminated material from a CERCLA site. As provided in the response dated July 8, 2009, the Navy agrees that the asbestos NESHAP is an action-specific ARAR and the work practice requirements outlined in the NESHAP including proper handling and disposal procedures shall be met for the selected response action. Further detail will be made available during the design steps of the remedial action.

Specific Comment 4c: While the Navy's proposal generally looks sufficient, the final ARARs tables need to be reviewed to determine if it adequately evaluates the ARARs requirements for each alternative.

The fourth bullet of the response (on page 3 of 3) states that the ARAR would apply if a risk exists. However, the response to GC2 suggests that the Navy intends to assume asbestos is present in a portion of the sediment and establish institutional controls (ICs) over that area without calculation of risk. Therefore, the response to this comment appears inconsistent with the response to GC2, if no risk will be calculated. Please explain.

Response: The response to GC2 is based on an assumption of risk present from asbestos that may be present under water. However, that assumption could be proved to the negative if sampling is conducted and asbestos is not found. But if the asbestos is found, then the ICs are adequate to protect human health.

Specific Comment 5: A) Has there been a historic release, current release, or threat of release of the asbestos from the piping under Pier 2? Please explain the basis for the ICs proposed for under both the Pier 1 and Pier 2 areas.

Response: There is asbestos pipe lagging under Pier 2 and it is in use at this time. NAVSTA reports no history of releases of lagging from piping under Pier 2. There is a typo in the response to GC2 in our letter dated 9/8/09 – the last paragraph, third line should read: "presume asbestos is present under ~~the piers~~ **Pier 1** and use an institutional control..."

B) Clearly, sampling (e.g., PDI) or remediation of marine sediment would have to occur after the asbestos at both Pier 1 and Pier 2 has been removed to avoid recontamination. Please provide the schedules for these inter-related projects.

Response: Asbestos removal will be conducted under Pier 1 under a NAVSTA contract. The construction schedule calls for work to begin November 2009 and be completed by March 1, 2009. The remedial action will not conflict with this schedule.